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Commission on Crime Prevention and Criminal Justice
Twenty-seventh session
Vienna, 14–18 May 2018
Item 6 of the provisional agenda*
Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice

Belarus: draft resolution

Preventing and combating technology-facilitated trafficking in persons

The Commission on Crime Prevention and Criminal Justice,

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity and physical integrity, human rights and sustainable development,

Recalling all relevant United Nations resolutions and recent special meetings on trafficking in persons held by the main organs of the United Nations with a mandate relating to trafficking in persons that addressed various aspects of the crime,

Emphasizing the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons, in particular in providing technical assistance to Member States, upon their request, to implement the United Nations Convention against Transnational Organized Crime[1] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] by making use of existing capacity-building tools, lessons learned from Member States and expertise available in other international organizations,

Welcoming the adoption by the General Assembly of the 2030 Agenda for Sustainable Development,[3] and recalling targets 5.2, 8.7 and 16.2 of the Sustainable Development Goals, on eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, taking immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and

* E/CN.15/2018/1.
[1] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[2] Ibid., vol. 2237, No. 39574.
[3] General Assembly resolution 70/1.

Please recycle

by 2025 end child labour in all its forms, and ending abuse and exploitation of, trafficking in and all forms of violence against and torture of children,

Noting the references to information and communications technologies contained in the 2030 Agenda for Sustainable Development,

Recognizing that the spread of information and communications technologies and global interconnectedness has great potential to accelerate human progress, to bridge the digital divide and to develop knowledge societies, as does scientific and technological innovation across diverse areas,

Acknowledging that information and communications technologies, in particular digital and networked technologies, alter the flow of information between people and, as a result, have an impact on social interactions, practices and behaviour,

Bearing in mind that the development of information and communications technologies and the increasing use of the Internet has created new opportunities for offenders and has facilitated the growth of crime,

Welcoming the adoption, at the high-level meeting of the General Assembly held at United Nations Headquarters on 27 and 28 September 2017, of the political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons,[4] in which Member States, inter alia, noted with concern the criminal misuse of information and communications technologies, in particular the Internet, to facilitate trafficking in persons and emphasized the importance of countering such use while respecting human rights and fundamental freedoms, including the right to privacy, in compliance with other obligations under international law,

Recognizing that traffickers are taking advantage of information and communications technologies to reach larger audiences and to carry out trafficking in persons more quickly and efficiently across greater distances,

Aware that, in the facilitation of trafficking in persons, criminals use, inter alia, various online open and classified advertisement and adult sites, various social networks and the darknet,

Aware also that information and communications technologies have been used to facilitate various aspects of trafficking in persons, including advertisement, grooming, recruitment, movement, exploitation, control of victims and financial transactions, as well as the various forms of trafficking for exploitation, including sexual exploitation, labour exploitation, removal of organs, forced marriage, sex tourism and the production and distribution of child sexual abuse material,

Concerned that the online resources used for the facilitation of trafficking in persons can be accessed through mobile applications and smartphones, which are particularly popular among children and adolescents, thereby making them increasingly vulnerable to trafficking in persons,

Noting with concern the criminal misuse of information and communications technologies to facilitate trafficking in persons, in particular, the sale and trade, by certain terrorist groups, and emphasizing the importance of countering such use as part of counter-terrorism efforts while respecting human rights and fundamental freedoms and in compliance with other obligations under international law,

Recognizing the potential of the Internet and other information and communications technologies to prevent and combat trafficking in persons and to assist victims, and stressing the need for increased law enforcement cooperation in this regard to address the new challenges generated by the rapid development of the Internet and other information and communications technologies,

Highlighting the utility of the Organized Crime Convention and the Trafficking in Persons Protocol in strengthening international cooperation for the prevention of,

[4] General Assembly resolution 72/1.

investigation into and prosecution of trafficking in persons facilitated through information and communications technologies in cases where the offence is transnational in nature and involves an organized criminal group,

Recalling article 27, paragraph 3, of the Organized Crime Convention, which requires States parties to endeavour to cooperate within their means in order to respond to transnational organized crime committed through the use of modern technology,

Conscious of the challenges faced by States, in particular developing countries, in preventing and combating the use of information and communications technologies for criminal purposes, including for trafficking in persons, and emphasizing the need to continue international cooperation in this regard and to reinforce technical assistance and capacity-building activities, at the request of States, for the prevention, prosecution and punishment of such use, in accordance with national and international law,

Underlining the importance of education on the safe and secure use of information and communications technologies, in particular among vulnerable groups, with a view to addressing the factors that make people vulnerable to trafficking in persons,

Stressing the importance of using the potential of online crowdsourcing, that is, of outsourcing a task to an undefined, generally large group of people, and of online flagging, that is, indicating and banning resources that are known to be involved in the facilitation of crime, for involving the broader public in anti-trafficking efforts,

Taking note of the *Study on the Effects of New Information Technologies on the Abuse and Exploitation of Children* by the United Nations Office on Drugs and Crime,

Taking note also of the comprehensive study on cybercrime prepared by the United Nations Office on Drugs and Crime under the auspices of the Expert Group to Conduct a Comprehensive Study on Cybercrime,

1. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime[1] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] taking into consideration the central role of those instruments in the fight against trafficking in persons, and urges States parties to those instruments to implement them fully and effectively;

2. *Calls upon* Member States to take into consideration new methods of recruiting victims of trafficking in persons, such as the use of the Internet by traffickers to, in particular recruit children, to take measures to develop targeted awareness-raising campaigns, including for law enforcement, front-line service providers and at-risk industries to identify the signs of trafficking in persons, and to develop specialized training for law enforcement and criminal justice practitioners;

3. *Also calls upon* Member States to develop responses to technology-facilitated trafficking in persons that avoid fixation on particular technologies but are instead agile and adaptable to constant change in information and communications technologies and that take into account both the protection of individual freedoms and privacy and the preservation of the capacity of States to fight such crimes;

4. *Underlines* the importance for Member States to develop effective cooperation between their law enforcement authorities and Internet service providers in order to prevent and combat technology-facilitated trafficking in persons;

5. *Encourages* businesses to leverage technology applications in order to identify trafficking risks and to prevent and combat trafficking in persons in their supply chains;

6. *Encourages* civil society organizations to contribute to the prevention and combating of technology-facilitated trafficking in persons through their awareness-raising campaigns based, inter alia, on the use of information and communications technologies;

7. *Encourages* the academic and research communities to explore the impact of information and communications technologies on trafficking in persons, including how such technologies can be utilized to prevent and combat trafficking in persons in its various forms and to assist victims of trafficking;

8. *Requests* the United Nations Office on Drugs and Crime to provide, upon request and in cooperation with Member States, relevant international organizations and the private sector, technical assistance and training to States, in particular developing countries, to improve national legislation and build capacities to prevent and combat trafficking in persons that is facilitated through the use of information and communications technologies;

9. *Also requests* the United Nations Office on Drugs and Crime, as a coordinator of the Inter-Agency Coordination Group against Trafficking in Persons, to discuss the issue of technology-facilitated trafficking in persons at a meeting of the Group;

10. *Invites* the Working Group on Trafficking in Persons of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to consider developing recommendations for measures to prevent and combat technology-facilitated trafficking in persons;

11. *Invites* Member States and other donors to provide extrabudgetary resources, in accordance with the rules and procedures of the United Nations, for the implementation of the relevant paragraphs of the present resolution;

12. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to submit a report to the Commission on Crime Prevention and Criminal Justice at its twenty-ninth session on the implementation of the present resolution.

most important tools of the international community for fighting transnational organized crime,

Reaffirming General Assembly resolutions 67/190 of 20 December 2012, 68/192 of 18 December 2013, and 70/179 of 17 December 2015, entitled "Improving the coordination of efforts against trafficking in persons", in which the Assembly called upon Member States to continue their efforts to criminalize trafficking in persons in all its forms and prosecute and penalize traffickers and intermediaries while providing protection and assistance to the victims of trafficking, with full respect for their human rights, and invited Member States to continue to support those United Nations agencies and international organizations that were actively involved in victim protection,

Taking note of General Assembly resolution 69/194 of 18 December 2014, entitled "United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice", in which the Assembly encouraged Member States, where appropriate, to strengthen multisectoral coordination among all relevant government agencies in order to better prevent, identify and respond to the multidimensional nature of violence against children and ensure that criminal justice and other relevant professionals were adequately trained to deal with children,

Recalling its resolutions 20/3 of 15 April 2011, entitled "Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons", and 26/4 of 26 May 2017, entitled "Strengthening international cooperation to combat cybercrime",

Expressing its concern that new information and communications technologies make it possible for criminals to construct false identities that enable their abuse and/or exploitation of children, for example, through grooming and online exploitation,

Stressing that criminal organizations use the Internet, including social networks and hosting platforms, to conduct criminal activities such as recruiting victims, especially children, trafficking in persons for the purpose of sexual exploitation, and managing their criminal activities,

Affirming its belief in the importance of international cooperation and coordination in effectively combating the criminal misuse of new information and communications technologies for the purpose of abusing and/or exploiting children,

1. *Encourages* Member States to strengthen their efforts to protect children from all forms of trafficking and exploitation, including exploitation by means of information and communications technologies;

2. *Also encourages* Member States to implement measures to prevent children from being exposed to the risk of trafficking in persons in spaces created on the Internet and to assist them by providing information, protection and reintegration programmes in case of abuse and exploitation, and welcomes the United Nations Office on Drugs and Crime Education for Justice initiative, which is an innovative and comprehensive educational approach designed to support the integration of crime prevention and other aspects of the rule of law into all levels of education in order to facilitate and promote teaching and research on issues related to the Office's mandated areas, including cybercrime, trafficking in persons and the smuggling of migrants;

3. *Further encourages* Member States to adopt legislation that compels Internet service providers to report child sexual abuse images and materials to the relevant authorities, block websites containing child sexual abuse images and cooperate with law enforcement authorities in the investigation and prosecution of the offenders responsible;

4. *Urges* Members States to establish national coordinating offices to combat trafficking in persons, calls for close international and regional cooperation between such national offices, which may include exchanges of good practices and tools to

detect online activities related to trafficking in persons, and invites the United Nations Office on Drugs and Crime to assist States in establishing such networks;

5. *Invites* Member States to establish national referral mechanisms that include victim assistance and protection in investigative and prosecution proceedings, and notes that State actors should consider coordinating their efforts with civil society organizations in order to deliver guidance to first responders to identify and protect victims of trafficking in persons and also consider establishing a system to refer such victims to specialized services offering shelter, protection and assistance in accordance with a human rights-based approach;

6. *Urges* Member States to enhance training on information and communications technologies for all relevant officials, as appropriate, in order to combat all forms of child trafficking;

7. *Invites* Member States and other donors to provide, on a voluntary basis, extrabudgetary resources for the implementation of the present resolution, in accordance with the rules and procedures of the United Nations.

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Commission on Crime Prevention and Criminal Justice
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Item 10 of the provisional agenda*
Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up to and review and implementation of the 2030 Agenda for Sustainable Development

Draft resolution submitted by the Chair

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolution for adoption by the General Assembly:

Enhancing the role of the Commission on Crime Prevention and Criminal Justice in advancing the implementation of the 2030 Agenda for Sustainable Development

The General Assembly,

Recalling its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",

Recalling also its resolution 70/299 of 29 July 2016, in which the Assembly encouraged coherence of the General Assembly and its Main Committees, the Economic and Social Council, the specialized agencies and the functional commissions of the Council, and other intergovernmental bodies and forums with the work of the high-level political forum on sustainable development towards the follow-up and review of the implementation of the 2030 Agenda for Sustainable Development,

Recalling further that Sustainable Development Goal 16, on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels, will be reviewed in depth by the high-level political forum in 2019,

Recalling the preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, as set out in its resolution 72/192 of 19 December 2017, including the decision that the main theme of the

* E/CN.15/2018/1.

V.18-02331 (E)

Please recycle

Fourteenth Congress would be "Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda",

Conscious of the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice,

1. *Underlines* the importance of the Commission on Crime Prevention and Criminal Justice in actively contributing to the global follow-up to and supporting the thematic review of progress made in the implementation of the Sustainable Development Goals relating to its mandate;

2. *Encourages* Member States to raise awareness about the work of the Commission on Crime Prevention and Criminal Justice and its relevance in the successful implementation of the 2030 Agenda for Sustainable Development;[1]

3. *Welcomes* the cooperation of the Commission on Crime Prevention and Criminal Justice with the Economic and Social Council and with other functional commissions of the Council, and encourages the Commission to further enhance its cooperation with all relevant intergovernmental bodies and forums with a view to advancing the implementation of the 2030 Agenda for Sustainable Development;

4. *Encourages* Member States to include information on the implementation of Sustainable Development Goal 16, also in relation to the work of the Commission, in their voluntary national reviews for consideration by the high-level political forum on sustainable development during its meeting to be held in 2019 and to share relevant information contained in those voluntary national reviews with the Commission during its twenty-eighth session, including in the context of the general debate;

5. *Invites* Member States and other relevant United Nations entities, international and regional organizations, the institutes of the United Nations crime prevention and criminal justice programme network and other relevant stakeholders to provide the Commission, through its secretariat, for consideration during its twenty-eighth session, views on how the Commission can contribute to the review of the implementation of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 16, and requests the Secretariat to also bring that information to the attention of the high-level political forum at its meeting in 2019 and to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, through existing reporting requirements.

[1] General Assembly resolution 70/1.

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Commission on Crime Prevention and Criminal Justice
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Agenda item 10
Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up to and review and implementation of the 2030 Agenda for Sustainable Development

Belarus, Japan and Morocco: revised draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolution for adoption by the General Assembly:

Enhancing the role of the Commission on Crime Prevention and Criminal Justice in contributing to the implementation of the 2030 Agenda for Sustainable Development

The General Assembly,

Reiterating its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",

Recalling its resolution 70/299 of 29 July 2016, in which the Assembly encouraged coherence of the General Assembly and its Main Committees, the Economic and Social Council, the specialized agencies and the functional commissions of the Council, and other intergovernmental bodies and forums with the work of the high-level political forum on sustainable development towards the follow-up and review of the implementation of the 2030 Agenda for Sustainable Development,

Recalling also that Sustainable Development Goal 16, on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels, will be reviewed in depth by the high-level political forum in 2019,

Recalling further the preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, as set out in its resolution 72/192 of 19 December 2017, including the decision that the main theme of the Fourteenth Congress would be "Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda",

V.18-03063 (E)

Please recycle

Underscoring the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice,

Bearing in mind that the implementation of the present resolution would support and be without prejudice to the existing mandates of the Commission,

1. *Underlines* the importance of the Commission on Crime Prevention and Criminal Justice in actively contributing to the global follow-up to and supporting the thematic review of progress made in the implementation of the Sustainable Development Goals relating to its mandate;

2. *Encourages* Member States to raise awareness about the work of the Commission on Crime Prevention and Criminal Justice and its relevance in the successful implementation of the 2030 Agenda for Sustainable Development;[1]

3. *Recognizes* the integrated and indivisible nature of the Goals, as well as the interlinkages between them;

4. *Welcomes* the cooperation of the Commission on Crime Prevention and Criminal Justice, within its existing mandate, with other functional commissions of the Economic and Social Council, and encourages the Commission to further enhance its cooperation with all relevant intergovernmental bodies and forums with a view to advancing the implementation of the 2030 Agenda for Sustainable Development;

5. *Encourages* Member States to consider including information on the implementation of Sustainable Development Goal 16, also in relation to the work of the Commission, in their voluntary national reviews for consideration by the high-level political forum on sustainable development during its meeting to be held in 2019 and sharing relevant information contained in those voluntary national reviews with the Commission during its twenty-eighth session, including in the context of the general debate;

6. *Invites* Member States and other relevant United Nations entities, international and regional organizations, the institutes of the United Nations crime prevention and criminal justice programme network and other relevant stakeholders to provide the Commission, through its secretariat, for consideration during its twenty-eighth session, views on how the Commission can contribute to the review of the implementation of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 16, and requests the Secretariat to also bring that information to the attention of the high-level political forum at its meeting in 2019 and to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, through existing reporting requirements.

[1] General Assembly resolution 70/1.

societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, and the target of ensuring responsive, inclusive, participatory and representative decision-making at all levels,

Recalling further its resolution 70/174 of 17 December 2015, entitled "Thirteenth United Nations Congress on Crime Prevention and Criminal Justice", in which it endorsed the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, in which Heads of State and Government, ministers and representatives of Member States had affirmed their endeavour, inter alia, to review or reform their restorative justice and other processes in support of successful reintegration,

Reaffirming the commitment expressed by Member States in the Doha Declaration to integrate child- and youth-related issues into their criminal justice reform efforts, as well as their endeavour to mainstream a gender perspective into their criminal justice systems by developing and implementing national strategies and plans and to promote gender-specific measures as an integral part of their policies on crime prevention, criminal justice and the treatment of offenders, including the rehabilitation and reintegration of women offenders into society,

Recalling Economic and Social Council resolution 2016/17 of 26 July 2016, entitled "Restorative justice in criminal matters", in which the Council requested the Secretary-General to convene a meeting of restorative justice experts to review the use and application of the basic principles on the use of restorative justice programmes in criminal matters as well as new developments and innovative approaches in the area of restorative justice,

Reaffirming resolution 26/3 of 26 May 2017 of the Commission on Crime Prevention and Criminal Justice, in which the Commission called upon Member States to continue to appropriately mainstream a gender perspective into their criminal justice systems and into efforts to prevent and combat crime, including transnational organized crime, including by developing and implementing national criminal justice legislation, policies and programmes that took into account the important role and specific needs of women and girls and by promoting gender-specific measures in crime prevention and protection policies,

Bearing in mind other recent developments in the area, including the 2017 draft recommendation concerning restorative justice in criminal matters of the Committee of Ministers of the Council of Europe,

Reaffirming the shared commitment to universal respect for and observance of all human rights and fundamental freedoms, and recognizing that restorative justice processes can be adapted to established criminal justice systems and complement those systems, taking into account legal, social, economic and cultural circumstances,

Recognizing the need to ensure that restorative justice processes are gender-sensitive and uphold the rule of law,

Recognizing also that restorative justice has shown promising results with respect to a broad range of situations, including serious crimes, cases involving a large number of victims and offenders, historic, systemic or institutionalized abuse and human rights violations, crime prevention, reintegration, and addressing harm and conflict in other systems and settings, such as schools and communities,

Recognizing further that restorative justice is one of the guiding paradigms of transitional justice, which is aimed at ensuring accountability, serving justice and achieving reconciliation, while taking into account the need to protect the right of victims to seek reparation,

Taking into account that restorative justice processes, such as victim-offender mediation, community and family group conferencing, circle sentencing, peacemaking and truth and reconciliation commissions, can contribute to a wide range

of beneficial outcomes, including redressing the harm done to the victims, holding offenders accountable for their actions and engaging the community in the resolution of conflict,

1. *Welcomes with appreciation* the report of the Secretary-General on the outcome of the expert group meeting on restorative justice in criminal matters, held in Ottawa from 22 to 24 November 2017[3] to review the use and application of the basic principles on the use of restorative justice programmes in criminal matters[4] as well as new developments and innovative approaches in the area of restorative justice;

2. *Expresses its gratitude* to the Government of Canada for its financial support to the expert group meeting on restorative justice in criminal matters and to the United Nations Office on Drugs and Crime for convening the meeting;

3. *Encourages* Member States to promote and increase the use of restorative justice in criminal matters at all stages of the criminal justice system and to strengthen the quality of practice in accordance with recognized values, principles and guidelines on restorative justice, including by applying the basic principles on the use of restorative justice programmes in criminal matters;

4. *Calls upon* Member States to promote the management and resolution of social conflict through dialogue and mechanisms of community participation, including by raising public awareness, preventing victimization, increasing cooperation between the public, competent authorities and civil society, and promoting restorative justice;

5. *Encourages* Member States to develop legislative and policy frameworks that prevent individuals from becoming unnecessarily involved in the criminal justice system and to facilitate access and support to restorative justice programmes, bearing in mind the need to ensure that the different systems and sectors work in a collaborative manner;

6. *Invites* Member States to consider, when developing restorative justice programmes, issues such as social inclusion, the strengthening of the social fabric, access to justice, social reintegration of offenders and access to health and education services, to consider the needs of victims of crime when developing those programmes, and to promote a culture of lawfulness and the well-being of individuals, with a particular emphasis on children and youth;

7. *Also invites* Member States to develop and implement restorative justice services and programmes in the area of juvenile justice, bearing in mind the Convention on the Rights of the Child,[5] as well as relevant norms and standards in the area of juvenile justice;

8. *Further invites* Member States to assist one another in the exchange of experiences on restorative justice and in the development and implementation of research, training or other programmes and activities to stimulate discussion, including through relevant regional initiatives;

9. *Invites* Member States to consider providing technical assistance to developing countries and countries with economies in transition, upon request, to assist them in the development and implementation of restorative justice programmes, where appropriate;

10. *Also invites* Member States to support the efforts of States that are carrying out transition processes in their endeavour to implement mechanisms of restorative justice aimed at protecting the rights of victims of serious violations of human rights and international humanitarian law, with a view to strengthening the rule of law and contributing to national reconciliation;

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[3] E/CN.15/2018/13.

[4] Economic and Social Council resolution 2002/12, annex.

[5] United Nations, *Treaty Series*, vol. 1577, No. 27531.

11. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to develop educational materials and practical guidance on restorative justice in criminal matters, including updating its *Handbook on Restorative Justice Programmes*,[5] on topics identified at the expert group meeting on restorative justice in criminal matters held in 2017, in consultation with relevant restorative justice experts;

12. *Also requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to offer training and other capacity-building opportunities, in particular for practitioners working in the areas of crime prevention and criminal justice, and to make available and disseminate information on successful restorative justice models and practices, in close coordination with the institutes of the United Nations crime prevention and criminal justice programme network;

13. *Further requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to continue to provide advisory services and technical assistance to Member States, upon request, in the area of restorative justice, including restorative juvenile justice;

14. *Invites* the Commission on Crime Prevention and Criminal Justice to collaborate with the United Nations mechanisms on indigenous issues, including the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples, taking into account the United Nations Declaration on the Rights of Indigenous Peoples,[6] in order to closely coordinate their activities relating to restorative justice, including the relationship between restorative justice and indigenous approaches to justice;

15. *Also invites* the Commission on Crime Prevention and Criminal Justice to collaborate with the Human Rights Council on the use and application of restorative justice in the context of transitional justice;

16. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice, at its twenty-ninth session, on the implementation of the present resolution;

17. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations.

[6] General Assembly resolution 61/295, annex.

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Item 9 of the provisional agenda*
Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

Japan: draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolution for adoption by the General Assembly:

Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, in which it stipulated the guidelines in accordance with which, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme,[1] should be held,

Emphasizing the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Acknowledging that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in that field by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

* E/CN.15/2018/1.
[1] Resolution 46/152, annex.

V.18-02350 (E)

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Emphasizing the important role played by the United Nations congresses on crime prevention and criminal justice in recognizing that crime prevention and criminal justice, with due regard to the observance of human rights, make a direct contribution to the maintenance of peace and security,

Recognizing the significant contributions of the United Nations congresses on crime prevention and criminal justice in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations and individual experts representing various professions and disciplines,

Recalling its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields, in which it stressed that all countries should promote policies consistent and coherent with the commitments of the major United Nations conferences and summits, emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits, and invited its intergovernmental bodies to further promote the implementation of the outcomes of the major United Nations conferences and summits,

Recalling also its resolution 62/173 of 18 December 2007, in which it endorsed the recommendations made by the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice at its meeting held in Bangkok from 15 to 18 August 2006,[2]

Recalling further its resolution 70/174 of 17 December 2015, in which it endorsed the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[3] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, and welcomed with appreciation the offer of the Government of Japan to act as host to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, in 2020,

Recalling its resolution 72/192 of 19 December 2017, in which it approved the main theme, the agenda items and the topics for the workshops of the Fourteenth Congress and decided that the duration of the Fourteenth Congress should not exceed eight days, including pre-Congress consultations,

Recalling also its resolution 70/1 of 25 September 2015, in which it adopted the 2030 Agenda for Sustainable Development,

Recognizing the importance of the substantive contributions that the Fourteenth Congress can make to the 2030 Agenda,

Encouraged by the success of the Thirteenth Congress as one of the largest and most diverse forums for the exchange of views on and experiences in research, law and policy and programme development between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines,

Stressing the importance of undertaking all preparatory activities for the Fourteenth Congress in a timely and concerted manner,

Having considered the report of the Secretary-General,[4]

1. *Reiterates its invitation* to Governments to take into consideration the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the

[2] See E/CN.15/2007/6, chap. IV.

[3] Resolution 70/174, annex.

[4] E/CN.15/2018/11.

Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[1] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, when formulating legislation and policy directives and to make all efforts, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

2. *Notes with appreciation* the progress made thus far in the preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice;

3. *Decides* to hold the Fourteenth Congress in Kyoto, Japan, from 20 to 27 April 2020, with pre-Congress consultations to be held on 19 April 2020;

4. *Also decides* that the high-level segment of the Fourteenth Congress shall be held during the first two days of the Congress in order to allow Heads of State or Government and Government ministers to focus on the main theme of the Congress and to enhance the possibility of generating useful feedback;

5. *Further decides* that, in accordance with its resolution 56/119, the Fourteenth Congress shall adopt a single declaration, to be submitted to the Commission on Crime Prevention and Criminal Justice for its consideration;

6. *Takes note with appreciation* of the draft discussion guide prepared by the Secretary-General, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, for the regional preparatory meetings and for the Fourteenth Congress;

7. *Requests* the Secretary-General to finalize the discussion guide in a timely manner, taking into account the recommendations of the Commission on Crime Prevention and Criminal Justice, as well as additional comments and feedback from Member States, in order to enable the regional preparatory meetings for the Fourteenth Congress to be held as early as possible in 2019;

8. *Reiterates its request* to the Secretary-General to proceed with the organization of the four regional preparatory meetings for the Fourteenth Congress and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Congress itself, in accordance with past practice, as well as making a special effort to organize the regional preparatory meeting for European and other States so as to benefit from their inputs;

9. *Urges* Governments to actively participate in the regional preparatory meetings, where appropriate, and invite their representatives to examine the substantive items on the agenda and the topics of the workshops of the Fourteenth Congress and to make action-oriented recommendations for consideration by the Congress;

10. *Invites* Governments to undertake preparations for the Fourteenth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees;

11. *Reiterates its invitation* to Member States to be represented at the Fourteenth Congress at the highest possible level, for example, by Heads of State or Government, Government ministers or attorneys general, to make statements on the theme and topics of the Congress;

12. *Also reiterates its invitation* to Member States to play an active role in the Fourteenth Congress by sending legal and policy experts, including practitioners with special training and practical experience in crime prevention and criminal justice;

13. *Requests* the Secretary-General to encourage the participation of representatives from relevant entities of the United Nations system in the Fourteenth Congress, bearing in mind the main theme, agenda items and workshop topics of the Congress;

14. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the workshops, and encourages States, the institutes of the United Nations crime prevention and criminal justice programme network, other entities concerned and the Secretary-General to work together in order to ensure that the workshops are well-focused and achieve practical results, leading to technical cooperation ideas, projects and documents for enhancing bilateral and multilateral technical assistance activities in crime prevention and criminal justice;

15. *Reiterates its request* to the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Fourteenth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress, and encourages Member States to actively participate in the above-mentioned meetings, as they provide an opportunity to develop and maintain a strong partnership with the private sector and civil society organizations;

16. *Requests* the Secretary-General to prepare a plan for the documentation for the Fourteenth Congress, in consultation with the extended bureau of the Commission;

17. *Again encourages* the relevant specialized agencies and programmes of the United Nations and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Fourteenth Congress;

18. *Requests* the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Fourteenth Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

19. *Also requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with the necessary resources, from within the overall appropriations of the programme budget for the biennium 2018–2019 and the programme budget for 2020, to support the preparations for and holding of the Fourteenth Congress;

20. *Further requests* the Secretary-General to ensure, in collaboration with Member States, a wide and effective programme of public information relating to the preparations for the Fourteenth Congress, to the Congress itself and to the follow-up to and implementation of its recommendations;

21. *Requests* the Commission to accord sufficient time at its twenty-eighth session to reviewing the progress made in the preparations for the Fourteenth Congress, to finalize in a timely manner all outstanding organizational and substantive arrangements and to make its recommendations to the General Assembly through the Economic and Social Council;

22. *Requests* the Secretary-General to ensure proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission at its twenty-eighth session.

assistance activities of the United Nations crime prevention and criminal justice programme in that area, including in post-conflict reconstruction,

Recalling its resolutions 67/186 of 20 December 2012, entitled "Strengthening the rule of law and the reform of criminal justice institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking", and 68/188 of 18 December 2013, entitled "The rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015",

Aware of the importance of its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which the unwavering commitment of the international community to achieving the Agenda and utilizing it to the full to transform the world for the better by 2030 is emphasized, and in this respect recalling its resolution 70/299 of 29 July 2016 on the follow-up to and review of the 2030 Agenda for Sustainable Development at the global level,

Convinced that the rule of law and development are strongly interrelated and mutually reinforcing and that the advancement of the rule of law at the national and international levels, including through crime prevention and criminal justice mechanisms, is essential for sustained and inclusive economic growth and sustainable development and the full realization of all human rights and fundamental freedoms,

Convinced also that the promotion of and respect for the rule of law at the national and international levels, as well as justice and good governance, should guide the activities of the United Nations and its Member States,

Expressing its grave concern about the negative effects of the most serious forms of transnational organized crime on development, peace, stability and security and human rights, about the increasing vulnerability of States to such crime and about the growing degree of penetration of criminal organizations and their financial and economic resources into the economy,

Emphasizing its commitment and strong political will in support of effective, fair, humane and accountable criminal justice systems and the institutions comprising them, encouraging the effective participation and inclusion of all sectors of society, thus creating the conditions needed to advance the wider United Nations agenda, and recognizing the responsibility of Member States to uphold human dignity, all human rights and fundamental freedoms for all, in particular those affected by crime and those who may be in contact with the criminal justice system, including vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and to prevent and counter crime motivated by intolerance or discrimination of any kind,

Acknowledging that the United Nations standards and norms in crime prevention and criminal justice are important tools for establishing fair and effective criminal justice systems that are enshrined in the rule of law and that their use and application in the provision of technical assistance should be enhanced, as appropriate,

Stressing the significance of a well-functioning, efficient, fair, effective and humane criminal justice system as the basis for a successful strategy against transnational organized crime, corruption, terrorism, drug trafficking and other dangerous forms of trafficking,

Recognizing the importance of the rule of law to all areas of engagement within the United Nations system, and noting with appreciation the progress made in ensuring coherence and coordination of activities to support the rule of law, in cooperation with the Rule of Law Coordination and Resource Group, while recognizing the different mandates of different United Nations entities,

Bearing in mind that the activities of the United Nations carried out in support of efforts of Governments to promote and consolidate the rule of law are undertaken in accordance with the Charter, and stressing the need to strengthen support to

Member States, upon their request, in the domestic implementation of their respective international obligations through enhanced technical assistance and capacity-building,

Emphasizing the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[1] in which Member States recognized the importance of effective, fair, humane and accountable crime prevention and criminal justice systems and the institutions comprising them as a central component of the rule of law,

Aware that the high-level political forum on sustainable development, at its meeting in 2019, which will have as its theme "Empowering people and ensuring inclusiveness and equality", will review, inter alia, the implementation of Sustainable Development Goal 16,

1. *Reaffirms* the importance of its resolution 70/1, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which, inter alia, includes the commitment to promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels;

2. *Urges* Member States to continue to recognize the cross-cutting nature of the rule of law, crime prevention and criminal justice and development, and recommends that such linkages and interrelationships be properly addressed and further elaborated, taking into account the commitments made for the implementation of the 2030 Agenda for Sustainable Development, particularly in connection with the achievement of Sustainable Development Goal 16;

3. *Renews its call* upon relevant entities of the United Nations system to continue cooperating and coordinating their activities, within their respective mandates, to promote a more integrated approach to the provision of assistance for building capacity in the area of the rule of law and criminal justice reform and to further explore joint projects in that area;

4. *Reiterates its invitation* to Governments to take into consideration the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda, and Public Participation,[1] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, when formulating legislation and policy directives and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

5. *Emphasizes* the commitment expressed in the Doha Declaration to holistic and comprehensive approaches to countering crime, violence, corruption and terrorism in all their forms and manifestations, and to ensuring that those responses are implemented in a coordinated and coherent way, along with broader programmes or measures for social and economic development, poverty eradication, respect for cultural diversity, social peace and social inclusion;

6. *Urges* Member States to mainstream crime prevention strategies with a gender perspective that are aimed at children and youth into all relevant social and economic policies and programmes, including those addressing education, health, civic participation, socioeconomic opportunities, information and communications technology and public safety and security, in order to protect children and youth from social marginalization and exclusion and to reduce their risk of becoming victims or offenders, and to this end to strive to achieve Sustainable Development Goals 3, 4, 5, 8, 9, 10, 11, 16 and 17;

7. *Also urges* Member States to adopt integrated and comprehensive responses to violence against women in order to reduce risks of gender-related killing

[1] General Assembly resolution 70/174, annex.

through early intervention and risk assessment, exercise due diligence to prevent, investigate, prosecute and punish gender-related killing of women and girls, ensure equal protection of women under the law and equal access to justice, consider adopting an integrated, multidisciplinary and gender-sensitive approach to the prevention, investigation, prosecution and punishment of gender-related killing of women and girls to minimize the risk of secondary victimization in the criminal justice system, develop appropriate mechanisms and enhance capacities for forensic investigations to identify human remains and missing persons and, to these ends, strive to achieve Sustainable Development Goals 5 and 16;

8. *Invites* Member States to promote educational programmes, in particular for young people, that foster an understanding of justice and the rule of law, in order to foster a culture of lawfulness, which is an approach to be taken by Governments towards the general public to promote trust and respect for the law and its enforcement, and, to these ends, to strive to achieve Sustainable Development Goals 4 and 16;

9. *Also invites* Member States to intensify national and international efforts to eliminate all forms of discrimination, including racism, religious intolerance, xenophobia and gender-related discrimination by, inter alia, raising awareness, developing educational materials and programmes and considering, where appropriate, drafting and enforcing legislation against discrimination and, to these ends, to strive to achieve Sustainable Development Goals 4, 5, 8, 10 and 16;

10. *Encourages* Member States, with the active participation of the private sector, to promote crime prevention and social inclusion programmes and employability schemes for vulnerable members of society, including victims and those released from prison, and, to these ends, to strive to achieve Sustainable Development Goals 1, 2, 3, 4, 5, 8, 10, 11 and 16;

11. *Also encourages* Member States to adopt effective measures to prevent and counter the serious problem of crimes that have an impact on the environment, such as trafficking in wildlife and wildlife products, including fauna and flora as protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora,[2] and poaching, and, to these ends, to strive to achieve Sustainable Development Goals 13, 14, 15 and 16;

12. *Welcomes* the work of the United Nations Office on Drugs and Crime in the area of education, under the Education for Justice initiative, which is a key component of the Global Programme for the Implementation of the Doha Declaration, and requests the Office to continue its efforts to promote education on the rule of law and justice in collaboration with the United Nations Educational, Scientific and Cultural Organization and other relevant stakeholders;

13. *Notes* that the main theme of the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Kyoto, Japan, in 2020, is "Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda", and looks forward to fruitful discussions at the regional preparatory meetings and at the Congress on that subject;

14. *Invites* Member States participating in the regional preparatory meetings for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, in line with the theme of the Congress, to make specific proposals and recommendations related to the advancement of the rule of law towards the achievement of the Sustainable Development Goals, for consideration by the Congress;

15. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to assist Member States in improving systems for collecting and analysing data on crime prevention and criminal justice at all levels, where necessary, including

[2] United Nations, *Treaty Series*, vol. 993, No. 14537.

gender-specific data, in order to promote the rule of law and achieve sustainable development;

16. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, to strengthen the rule of law, taking into account the work undertaken by other United Nations entities, within existing mandates, as well as regional and bilateral efforts, and to continue to ensure coordination and coherence, including through the Rule of Law Coordination and Resource Group;

17. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to support, in an effective manner, its efforts towards the implementation of its mandates and, as appropriate, the global follow-up and thematic review relating to its existing mandates, which are essential for strengthening the maintenance of the rule of law at the national and international levels, including by providing special support to the Commission on Crime Prevention and Criminal Justice to enable it to actively contribute, as appropriate, to the global follow-up to and thematic review of progress made by Member States in the achievement of the Sustainable Development Goals as set forth in Assembly resolution 70/299;

18. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals, handbooks and capacity-building material developed and published by the United Nations Office on Drugs and Crime;

19. *Welcomes* the efforts of the Secretary-General towards stronger coordination and integration of rule of law assistance, through specialized and relevant international organizations, in order to enhance predictability, coherence, accountability and effectiveness in delivery of the rule of law at the national and international levels, and encourages further participation by the United Nations Office on Drugs and Crime in such arrangements, in particular, with regard to police, justice and corrections;

20. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to continue to include in their work programme the issue of the rule of law and the provision of assistance to States, at their request, in responding to the challenges posed to the rule of law and development, as well as to strengthen their efforts to support the implementation of the 2030 Agenda for Sustainable Development;

21. *Calls upon* Member States, international organizations and all relevant stakeholders to provide to the United Nations Office on Drugs and Crime their views on and information relating to efforts aimed at advancing crime prevention, criminal justice and the rule of law to achieve the Sustainable Development Goals, as well as their views on the contribution that the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, considering its main theme, could make to the furtherance of these issues, and requests the Office to report to the Congress on that matter;

22. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes set out in the present resolution, in accordance with the rules and procedures of the United Nations.

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Item 6 of the provisional agenda*
Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice

Colombia: draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolution for adoption by the General Assembly:

Improving the coordination of efforts against trafficking in persons: a call to action

The General Assembly,

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity, the physical integrity of persons, human rights and development, and which requires the implementation of a comprehensive approach that includes measures to prevent it, to prosecute and punish traffickers and to protect the victims, as well as a criminal justice response commensurate with the serious nature of the offence,

Recalling that trafficking in persons impairs the enjoyment of human rights and fundamental freedoms, continues to pose a serious challenge to humanity and requires a concerted international assessment and response and genuine multilateral, regional and bilateral cooperation among countries of origin, transit and destination for its eradication,

Bearing in mind that all States have an obligation to exercise due diligence to prevent trafficking in persons, investigate and punish the perpetrators and protect and assist the victims thereof, and that not doing so impairs victims' enjoyment of human rights and fundamental freedoms,

Welcoming the ratification of or accession to, by 173 States, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized

* E/CN.15/2018/1.

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Crime,[1] which provides an effective global legal framework to promote international cooperation against trafficking in persons,

Recalling its adoption of the 2030 Agenda for Sustainable Development [2] and targets 5.2, 8.7 and 16.2 of the Sustainable Development Goals, which reaffirm the commitment of Member States to taking immediate and effective measures to, inter alia, eradicate forced labour and end modern slavery and trafficking in persons,

Recognizing the need to continue to foster a global partnership against trafficking in persons and the need to continue to work towards an enhanced, comprehensive and coordinated approach to prevent and combat trafficking and to protect and assist victims of trafficking in persons through the appropriate national, regional and international mechanisms,

Recognizing also the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on good practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Recalling its decision, in its resolution 68/192 of 18 December 2013, to designate 30 July as the World Day against Trafficking in Persons, to be observed every year beginning in 2014, and welcoming events held by Member States, United Nations agencies, other international organizations and civil society at the international, regional and national levels to mark the World Day in order to raise awareness of trafficking in persons and the situation of the victims of this crime and for the promotion and protection of their rights,

Recalling also its adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons in its resolution 64/293 of 30 July 2010, and underlining the importance of its full implementation, and recalling further its adoption by consensus of resolutions 68/192 of 18 December 2013, 70/179 of 17 December 2015 and 72/195 of 19 December 2017 on improving the coordination of efforts against trafficking in persons,

Stressing the importance of the full and effective implementation of the Global Plan of Action by all Member States and international organizations, and encouraging the United Nations Office on Drugs and Crime and other members of the Inter-Agency Coordination Group against Trafficking in Persons, in line with their existing mandates, to continue to implement the Global Plan of Action, including by elaborating, in cooperation with Member States, a list of concrete measures, as stipulated in Assembly resolution 68/192,

Welcoming the holding of the high-level meeting of the General Assembly on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons, held during its seventy-second session, on 27 and 28 September 2017, to assess the progress achieved in the implementation of the Global Plan of Action, and welcoming also the adoption at that time of the political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons,[3] which was testimony to the strong political will to take decisive and concerted action to end this heinous crime, wherever it may occur, and in which Member States welcomed pledges made to the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children, established in 2010 in accordance with the Global Plan of Action,

Recognizing the vulnerability of migrants, especially irregular migrants, to becoming victims of trafficking in persons in the context of international migration, and the need to prevent violations of the human rights of migrant persons and protect

[1] United Nations, *Treaty Series*, vol. 2237, No. 39574.
[2] General Assembly resolution 70/1.
[3] General Assembly resolution 72/1.

them given their vulnerability to trafficking in persons associated with the increase in migrant flows,

Recalling the New York Declaration for Refugees and Migrants, adopted by consensus on 19 September 2016,[4] in which Member States noted the importance of coordinating efforts related to assisting and protecting the migrant population that is subject to smuggling and which, on account of its vulnerability, includes potential victims of trafficking in persons,

Welcoming the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, to be held in Morocco on 10 and 11 December 2018, whose objective is to set out a range of principles, commitments and understandings among Member States regarding international migration in all its dimensions, including preventing and combating trafficking in persons in the context of international migration,

Drawing attention to the need to address the new challenges generated by the rapid development of the Internet and other information and communications technologies that are being used to facilitate trafficking in persons, including for the purpose of exploiting women and children, and to recruit and control victims,

Taking note of the Fifth Meeting of National Authorities on Trafficking in Persons of the Organization of American States, held in Washington, D.C., on 12 and 13 March 2018, and the Mexico City Declaration adopted at the Fifth Meeting, and welcoming the decision of the Organization of American States to extend the term of the Second Work Plan against Trafficking in Persons in the Western Hemisphere from 2015–2018 to 2015–2020,

1. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime[5] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[5] taking into consideration the central role of those instruments in the fight against trafficking in persons, and urges States parties to those instruments to implement them effectively;

2. *Invites* the Working Group on Trafficking in Persons established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to consider developing recommendations for measures, within its mandate, that further the goals of the United Nations Global Plan of Action to Combat Trafficking in Persons;[5]

3. *Invites* all Member States, relevant agencies of the United Nations system and other international organizations, as well as civil society, to continue to actively observe the annual World Day against Trafficking in Persons;

4. *Notes with appreciation* the publication of the *Global Report on Trafficking in Persons 2016*,[6] prepared by the United Nations Office on Drugs and Crime pursuant to the United Nations Global Plan of Action to Combat Trafficking in Persons, looks forward to the next such report, to be produced by the Office in 2018, and requests the Office to continue, in close cooperation and collaboration with Member States, to collect, in a balanced, reliable and comprehensive manner, information on patterns, forms and flows of trafficking in persons at the national, regional and international levels for use in those reports and to share best practices and lessons learned from various initiatives and mechanisms;

5. *Encourages* partnerships and networks between the public and private sectors that bring together national authorities, businesses, media, academia, civil society organizations and other social actors to foster cooperation in the design and

[4] General Assembly resolution 71/1.

[5] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[6] United Nations publication, Sales No. E.16.IV.6.

implementation of policies and programmes to prevent and eliminate trafficking in persons and protect victims and their dependents, as appropriate, by facilitating the sharing of information, experiences and lessons learned;

6. *Encourages* Member States to continue to promote ongoing, comprehensive training, among other measures, for officials and staff in the immigration, health, foreign affairs, consular, security, labour inspection and social services sectors, among others, on the different characteristics of trafficking in persons in all its forms, in order to enhance their skills in preventing, detecting, investigating, prosecuting and securing convictions for trafficking in persons and in providing comprehensive, timely and adequate care for victims of trafficking in persons, including emotionally traumatized victims, taking into consideration the specifics of each population group and the particular vulnerabilities of each, in accordance with the domestic and international laws in force;

7. *Also encourages* Member States to strengthen the capacities of national authorities and personnel responsible for the investigation, prosecution and punishment of crimes of trafficking in persons in Member States, and strengthen national, regional and international coordination and cooperation among law enforcement agencies to prevent and investigate the crime of trafficking in persons, arrest, prosecute and convict those responsible for the crime and their accomplices and address the need to assist and protect victims during the investigation and prosecution of this crime;

8. *Further encourages* Member States to develop programmes that include input from the private sector, civil society and other social actors, including survivors of the crime of trafficking in persons, with a view to helping victims of this crime to become reintegrated into society and find employment and educational opportunities;

9. *Encourages* Member States to increase efforts, in accordance with domestic laws, to produce standardized, common indicators, as well as variables, and increase the availability and quality of comparable statistical data that can be shared locally, regionally and worldwide, as such information is needed to document trends and characteristics of trafficking in persons, support good practices, determine technical assistance needs and contribute to policy formulation, including the adoption of measures to deal with the demand that encourages trafficking in persons;

10. *Invites* the United Nations Office on Drugs and Crime and other relevant agencies of the United Nations system, within the framework of the Inter-Agency Coordination Group against Trafficking in Persons, to continue to increase the activities of the Group related to the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons and, to this end, to incorporate aspects of the 2030 Agenda for Sustainable Development[3] relevant to preventing and combating trafficking in persons and consider how to coordinate future activities and avoid duplication of efforts;

11. *Encourages* the United Nations Office on Drugs and Crime to cooperate with relevant international organizations outside the United Nations system and to invite such organizations and interested Member States to participate, when appropriate, in the meetings of the Inter-Agency Coordination Group against Trafficking in Persons and keep Member States informed of the schedule of and the progress made by the Inter-Agency Coordination Group;

12. *Invites* Member States to address the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons, such as poverty, unemployment, inequality, humanitarian emergencies, including armed conflicts and natural disasters, sexual violence, gender discrimination and social exclusion and marginalization, as well as a culture of tolerance towards violence against women, youth and children;

13. *Requests* the United Nations Office on Drugs and Crime, in its capacity as fund manager of the United Nations voluntary trust fund for victims of trafficking in

persons, especially women and children, to continue to encourage States and all other relevant stakeholders to make contributions to the trust fund;

14. *Invites* Member States to strengthen or continue to strengthen coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money-laundering, corruption, smuggling of migrants, drug trafficking, cybercrime and others forms of organized crime;

15. *Also invites* Member States, consistent with their national legal frameworks, to cooperate closely with Internet service providers, mobile telephone companies and other key actors to establish appropriate and efficient mechanisms for cooperating with law enforcement agencies in the investigation and prosecution of the offenders responsible for such crimes;

16. *Calls upon* Member States to promote criminal proceedings for trafficking in persons in conjunction with investigations for the crime of money-laundering, the application of confiscation measures, including actions to confiscate property, in order to weaken and eliminate the economic core of organized criminal groups;

17. *Encourages* the continuation of bilateral, regional, subregional and multilateral groups or networks of national authorities to combat trafficking in persons and the adoption of protocols of inter-institutional cooperation to fight and eradicate this crime and to assist and protect the victims;

18. *Stresses* the need to develop policies and strategies to encourage victims to report trafficking in persons, including specific programmes to promote the rights of victims, protect their privacy and identity and ensure their safety before, during and after criminal proceedings and protect the immediate family members of victims and witnesses, as appropriate, from retaliation by traffickers by ensuring their safety, and also stresses the importance of proactive investigations and of developing better investigation techniques in order not to depend solely on the testimony of victims;

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Item 7 of the provisional agenda*
Use and application of United Nations standards and norms in crime prevention and criminal justice

South Africa: draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolution:

Promoting access to legal aid in criminal justice systems

The Economic and Social Council,

Recalling the Universal Declaration of Human Rights,[1] which enshrines the key principles of equality before the law and the presumption of innocence, as well as the right to a fair and public hearing by an independent and impartial tribunal, established by law, along with all the guarantees necessary for the defence of anyone charged with a penal offence, other minimum guarantees and the entitlement to be tried without undue delay,

Recalling also the International Covenant on Civil and Political Rights,[2] in particular its article 14, which states that all persons charged with a criminal offence shall be entitled to be tried in his or her presence and to defend himself or herself in person or through legal assistance of his or her own choosing or assigned to him or her where the interests of justice so require, in a fair and public hearing by a competent, independent and impartial tribunal established by law,

Recalling further the Basic Principles on the Role of Lawyers,[3] which stipulate that all persons are entitled to call upon the assistance of a lawyer of their choice to protect and establish their rights and to defend them in all stages of criminal proceedings, that the duties of lawyers towards their clients include assisting them in every appropriate way, taking legal action to protect their interests, and that lawyers, in protecting the rights of their clients and in promoting the cause of justice, are

* E/CN.15/2018/1.

[1] General Assembly resolution 217 A (III).

[2] See General Assembly resolution 2200 A (XXI), annex.

[3] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August–7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.3, annex.

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required to seek to uphold human rights and fundamental freedoms recognized by national and international law,

Taking note of General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in particular Sustainable Development Goal 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels) and target 16.a (Strengthen relevant national institutions, including through international cooperation), which form part of a balanced and integrated approach to achieving sustainable development in its three dimensions, namely, economic, social and environmental,

Recalling the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,[4] in which it is recognized that legal aid is an essential element of a fair, humane and efficient criminal justice system that is based on the rule of law, and recalling also that guideline 16 of those Principles and Guidelines stipulates that States should take measures, in consultation with civil society and justice agencies and professional associations, to set quality standards for legal aid services and to establish monitoring and evaluation mechanisms to ensure the quality of legal aid services,

Recalling also the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[5] in which Member States stated that they would endeavour to continue the development of specialized networks of practitioners, including legal aid providers and defence lawyers, to exchange information and share good practices and expertise, and to support community initiatives and foster the active participation of citizens in ensuring access to justice for all,

Recalling further General Assembly resolution 70/174 of 17 December 2015, in which the Assembly invited Governments to take into consideration the Doha Declaration when formulating legislation and policy directives,

Bearing in mind the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[6] according to which prisoners, including those under arrest, awaiting trial or convicted, should be informed of their right to legal advice, including through legal aid schemes, and procedures for making requests or complaints, should be provided with adequate opportunity, time and facilities to be visited by and to communicate and consult with a legal adviser of their own choice or a legal aid provider, and should have access to effective legal aid,

Taking into consideration that the Commission on Crime Prevention and Criminal Justice, in its resolution 25/2 of 27 May 2016, encouraged Member States to facilitate the sharing of information and best practices among legal aid providers, making the best possible use of existing information and communication platforms, and to share expertise on the development of national-level indicators for target 16.3 of the Sustainable Development Goals (Promote the rule of law at the national and international levels and ensure equal access to justice for all),

Taking into consideration also that, in the same resolution, the Commission invited Member States to encourage the development of national, regional and international specialized networks of legal aid providers to exchange information and share good practices and expertise, including by considering, in the context of deliberations at the second International Conference on Access to Legal Aid in Criminal Justice Systems, potential options for establishing a global virtual network

[4] General Assembly resolution 67/187, annex.
[5] General Assembly resolution 70/174, annex.
[6] General Assembly resolution 70/175, annex.

to facilitate legal aid providers at the national, regional and international levels to establish contact,

Taking into consideration further that, also in the same resolution, the Commission urged Member States to ensure that children in contact with the justice system were informed of their rights and had prompt access to legal assistance and, where appropriate, legal aid, during police interrogation and while in police detention and requested the United Nations Office on Drugs and Crime to continue to develop and disseminate, subject to the availability of extrabudgetary resources, relevant tools such as best practices, handbooks and training manuals,

Recalling the publication by the United Nations Office on Drugs and Crime of *Early Access to Legal Aid in Criminal Justice Processes: A Handbook for Policymakers and Practitioners*, and affirming that early access to legal aid is the key to guaranteeing a fair trial and the rule of law, improves the efficiency and fairness of the criminal justice system and represents an important safeguard against torture and other forms of ill treatment, and that the quality of legal aid provision is an important factor in ensuring both its appropriateness and its effectiveness,

Bearing in mind the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,[7] in particular its principle 11, which states that a detained person shall have the right to defend himself or herself, or to be assisted by counsel as prescribed by law, and its principle 17, which states that a detained person shall be entitled to have the assistance of a legal counsel, and that if a detained person does not have a legal counsel of his or her own choice, he or she shall be entitled to have a legal counsel assigned to him or her by a judicial or other authority,

Recalling the Bangkok Declaration on Synergies and Responses: Strategic Alliance in Crime Prevention and Criminal Justice,[8] in which Member States were called upon to take steps, in accordance with their domestic laws, to promote access to justice, to consider the provisions of legal aid to those who need it and to enable the effective assertion of their rights in the criminal justice system,

Recalling also the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[9] in which it was recommended that Member States reduce pretrial detention, where appropriate, and promote increased access to justice and legal defence mechanisms,

Recalling further Economic and Social Council resolution 2007/24 of 26 July 2007 on international cooperation for the improvement of access to legal aid in criminal justice systems, particularly in Africa,

1. *Welcomes* the holding of the first and second International Conference on Access to Legal Aid in Criminal Justice Systems, in Johannesburg, South Africa, from 24 to 26 June 2014, and in Buenos Aires from 15 to 17 November 2016, which was attended by more than 200 legal aid policymakers and practitioners from more than 60 countries, including representatives of ministries of justice, the judiciary, public defender offices and bar associations, as well as legal aid lawyers, community-based paralegals, members of civil society and experts, and takes note of their efforts to discuss common challenges in providing access to effective legal aid services in criminal justice systems and to propose practical and achievable solutions through the Johannesburg Declaration on the Implementation of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems and the Buenos Aires Declaration on the Implementation of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems;

[7] General Assembly resolution 43/173, annex.
[8] General Assembly resolution 60/177, annex.
[9] General Assembly resolution 65/230, annex.

2. *Invites* Member States, in line with the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[5] to participate in the third International Conference on Access to Legal Aid in Criminal Justice Systems, to be held in Tbilisi from 13 to 15 November 2018, and in this context requests the United Nations Office on Drugs and Crime to make available any ensuing report to the Commission on Crime Prevention and Criminal Justice;

3. *Invites* Member States to encourage, in collaboration with other relevant stakeholders, the development of guidance tools relating to target 16.3 of the Sustainable Development Goals, including articulating a consensus on key components of access to justice, the role of lawyers and legal aid providers and good practices for reporting progress;

4. *Urges* Member States to collaborate with civil society and other relevant stakeholders to expand and improve reporting on progress towards target 16.3 of the Sustainable Development Goals, to seek more effective and innovative means of gathering and disseminating comprehensive data on access to legal aid and to allocate appropriate resources for these purposes;

5. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to convene an open-ended intergovernmental meeting of experts, with interpretation, to be tasked, in line with Commission on Crime Prevention and Criminal Justice resolution 25/2 of 27 May 2016 and further to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[6] with developing relevant tools such as best practices, handbooks and training manuals, with studying and contributing to an international consensus regarding best practices in defining and measuring quality in legal aid services, with developing an instrument such as a basic set of principles or a set of guidelines for providing quality legal aid services, and with providing advisory services and technical assistance to Member States, upon request, in those areas;

6. *Encourages* Member States to adopt or strengthen legislative or other measures to ensure that effective legal aid is provided promptly at all stages of the criminal justice process and that all legal aid providers possess education, training, skills and experience that are commensurate with the nature of their work, including the gravity of the offences dealt with, and the rights and needs of women, children and groups with special needs, and to this end, also encourages Member States to take measures, in consultation with justice agencies, professional associations and other relevant stakeholders, to establish monitoring and evaluation mechanisms to ensure the quality of legal aid services;

7. *Also encourages* Member States to facilitate the sharing of information on mechanisms by which persons detained or arrested, as well as those suspected or accused of or charged with a criminal offence, may be given early access to legal assistance and, where appropriate, legal aid, and to facilitate the sharing of best practices in ensuring that such persons are informed of their rights and have access to legal assistance and, where appropriate, legal aid, promptly after arrest and during police interrogation, and that they may consult their legal representative freely and fully confidentially;

8. *Invites* Member States and other donors to provide extrabudgetary resources for those purposes, in accordance with the rules and procedures of the United Nations.

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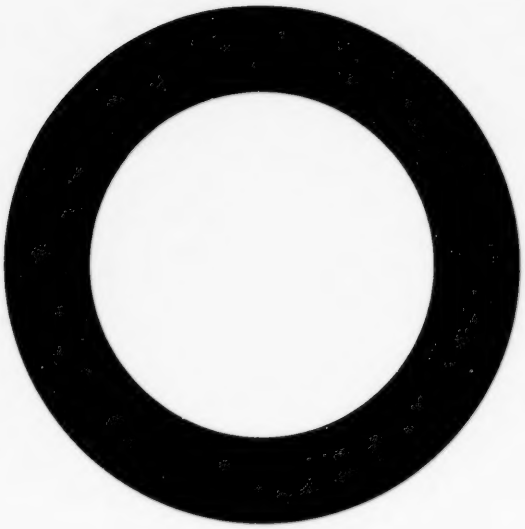

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Item 8 of the provisional agenda*
World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

Mexico: draft resolution

International cooperation against trafficking in cultural property

The Commission on Crime Prevention and Criminal Justice,

Recognizing the indispensable role of international cooperation in crime prevention and criminal justice responses to counter trafficking in cultural property and related offences in a comprehensive and effective manner, stressing that the development and maintenance of fair and effective criminal justice systems should be a part of any strategy to counter terrorism and transnational organized crime, and recalling in this respect the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[1]

Reaffirming the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,[2] adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 November 1970, the Convention on Stolen or Illegally Exported Cultural Objects,[3] adopted by the International Institute for the Unification of Private Law on 24 June 1995, and other relevant international instruments,

Welcoming the central role played by the United Nations Office on Drugs and Crime and the International Criminal Police Organization (INTERPOL) in preventing and countering all forms and aspects of trafficking in cultural property and related offences, including through fostering broad law enforcement and judicial cooperation,

Noting the efforts undertaken by the Committee on Offences relating to Cultural Property of the Council of Europe concerning a legal framework to address trafficking in cultural property,

Recalling General Assembly resolution 66/180 of 19 December 2011 on strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking, in which the Assembly urged

* E/CN.15/2018/1.

[1] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

[2] Ibid., vol. 823, No. 11806.

[3] Ibid., vol. 2421, No. 43718.

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Member States and relevant institutions to reinforce and fully implement mechanisms to strengthen international cooperation, including mutual legal assistance, in order to combat all forms and aspects of trafficking in cultural property and related offences, such as the theft, looting, damage, removal, pillage and destruction of cultural property, and to facilitate the recovery and return of stolen and looted cultural property, and recalling also General Assembly resolutions 67/80 of 12 December 2012 on the return or restitution of cultural property to the countries of origin, 68/186 of 18 December 2013 on strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking, and 69/196 of 18 December 2014, entitled "International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences",

Recalling also the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[4]

Recalling further its resolution 24/2 of 22 May 2015, entitled "Strengthening crime prevention and criminal justice responses with respect to trafficking in cultural property and other related offences",

Recalling that article 18, paragraph 1, of the United Nations Convention against Transnational Organized Crime[5] requires States parties to afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offences covered by the Convention, and that article 18, paragraph 13, requires States parties to designate a central authority with the responsibility and power to receive requests for mutual legal assistance and either to execute them or to transmit them to the competent authorities for execution,

Taking note of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, adopted by the General Assembly in its resolution 69/196, and of the practical assistance tool to assist in the implementation of the Guidelines,

Recognizing that the Organized Crime Convention offers expanded opportunities for international cooperation in the fight against transnational organized crime, and convinced that, in this regard, the potential of this instrument is yet to be fully developed,

Convinced that the establishment of bilateral and multilateral arrangements for mutual assistance in criminal matters can contribute to the development of more effective international cooperation to combat transnational crime,

Recognizing the transnational nature of trafficking in cultural property and the importance of strengthening international cooperation, including through mutual legal assistance, in the detection, investigation and prosecution of this crime,

Bearing in mind that the establishment and optimization of swift, secure and reliable communication channels are vital in order to provide a rapid and timely response to a fast-moving crime of global magnitude,

Underlining the importance of all relevant United Nations entities coordinating their efforts while implementing their respective mandates,

1. *Encourages* Member States that have not yet done so to accede to the United Nations Convention against Transnational Organized Crime[5] and to consider it a basis for requests for mutual legal assistance, including in relation to trafficking in cultural property;

[4] General Assembly resolution 70/174, annex.

[5] United Nations, *Treaty Series*, vol. 2225, No. 39574.

2. *Welcomes* the decisions of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its eighth session to promote greater use of the Convention by central authorities in extradition and mutual legal assistance and to enhance the effectiveness of those authorities;

3. *Requests* Member States to review their legislation, procedures and other practices relating to mutual legal assistance and, if necessary, amend them in order to comply with the Organized Crime Convention and other applicable international legal instruments;

4. *Calls upon* Member States in which cultural property originates and is traded, and through which such property transits, to request and provide greater international cooperation in investigations, prosecutions, seizure and confiscation in relation to, as well as in the return, restitution or repatriation of, trafficked, illicitly exported or imported, stolen, looted, illicitly excavated or illicitly traded cultural property, and in judicial proceedings, through appropriate channels and in accordance with domestic legal frameworks, and to make effective use, to that end, of relevant tools and databases developed under the auspices of the United Nations Educational, Scientific and Cultural Organization, the United Nations Office on Drugs and Crime, the International Criminal Police Organization (INTERPOL) and the World Customs Organization, within their respective mandates, and of relevant regional, subregional and bilateral agreements;

5. *Invites* Member States to consider criminalizing the bringing of cultural property into and the removal of such property from their national territories, as well as its transfer, where such acts violate the legal provisions adopted in the country of origin of that property;

6. *Calls upon* Member States, in accordance with their domestic legislation, to promote among their central authorities the timely exchange of information and to establish or strengthen swift and reliable lines of communication and mechanisms for consultation and coordination between those authorities and the national bodies mandated to counter trafficking in cultural property making use, where possible, of relevant cooperation networks in order to promptly notify countries of origin when objects that may be cultural property removed from their territory are identified;

7. *Encourages* Member States to consider preparing guidelines that specify the requirements and procedures for requesting mutual legal assistance in cases of trafficking in cultural property and to make them public, if possible, in at least one of the official languages of the United Nations, as well as to share such information with the Secretariat;

8. *Invites* Member States to consider designating contact points to facilitate international cooperation, in accordance with the provisions of the Organized Crime Convention, for the purpose of investigating and prosecuting trafficking in cultural property, and to report that information to the United Nations Office on Drugs and Crime for inclusion in the directory of competent national authorities under the Convention, and requests the Office to keep that information up to date;

9. *Urges* Member States and relevant international organizations, in cooperation with the United Nations Office on Drugs and Crime, to develop national, subregional, regional and international strategies, as appropriate, and other necessary measures, including the establishment, in accordance with domestic legislation, of designated central authorities and effective points of contact dedicated to facilitating the procedures related to international cooperation, including for extradition and mutual legal assistance requests, in order to effectively address transnational organized crime, including trafficking in cultural property;

10. *Recommends* that Member States prepare lists or inventories of stolen and/or lost cultural property, and consider making them public in order to facilitate the identification of that property, as well as use the tools at their disposal, such as the red lists of the International Council of Museums, the INTERPOL database on

stolen works of art and the ARCHEO information exchange network of the World Customs Organization, in order to facilitate the actions of law enforcement agencies;

11. *Encourages* Member States, including in collaboration with the United Nations Office on Drugs and Crime, to provide training on international legal assistance to central authority officials, as well as to their ministerial, law enforcement, expert and other authorities involved in the detection, investigation and restitution of trafficked cultural property;

12. *Calls upon* Member States to share information, on a voluntary basis, on their experiences and good practices and to bring those experiences and good practices to the attention of the United Nations Office on Drugs and Crime, and requests the Office to compile and disseminate that information;

13. *Requests* Member States, in cases in which a request for mutual legal assistance cannot be executed for any reason, to inform the requesting State, before refusing the request, of the reasons for such refusal, to enable the requesting State to rectify the request;

14. *Invites* Member States to conduct the analyses necessary to identify any legislative or operational obstacles preventing full implementation of article 18 of the Organized Crime Convention, particularly in cases of trafficking in cultural property, and to inform the United Nations Office on Drugs and Crime accordingly;

15. *Requests* the United Nations Office on Drugs and Crime to continue to provide advisory services and technical assistance to Member States, at their request, in relation to international cooperation in combating trafficking in cultural property, in cooperation with relevant international organizations and bodies;

16. *Also requests* the United Nations Office on Drugs and Crime, pursuant to paragraph 7 above, to collect the information on requirements and procedures provided by countries in relation to the provision of mutual legal assistance, and to disseminate it through the Sharing Electronic Resources and Laws on Crime knowledge management portal;

17. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes of the present resolution in accordance with the rules and procedures of the United Nations.